a function of:

   receiving from the exterior a job data including said image formation data and a procedure for predetermined processing, and controlling image formation in accordance with the received procedure, and

   wherein the job data is not required to be transmitted via a print server.

  18. (Amended) A machine-readable recording medium containing a program for enabling a computer, in an image processing apparatus forming images based on image-formation data, to have a function of causing a job data to include said image formation data and a communication procedure for communicating with an external unit, and controlling said image formation in accordance with a result of communication with said external unit based on said communication procedure included in said job data, and

   wherein the job data is not required to be transmitted via a print server.

REMARKS

This application has been reviewed in light of the Office Action dated March 13, 2002. Claims 1-18 remain pending in this application. Claims 11, 17, and 18 have been amended to define still more clearly what Applicant regard as his invention, in terms that distinguish over the art of record. Claims 1, 11, 17, and 18 are in independent form. Favorable reconsideration is requested.

  The Office Action objected to the specification for the informalities noted in section 2. Applicant has amended the specification on pages 10 and 11 with respect to incorrect element numbers. However, Applicant does not see any spelling error on page 4,

line 21, and requests the Examiner identify the word that is misspelled.

The Office Action objected to Fig. 6 as not being designated by a legend such as --Prior Art--. A Request For Approval To Make Drawing Changes is submitted herewith, in which this figure is so designated. Withdrawal of the objection to the drawing is respectfully requested.

Claims 1, 2, 3 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,188,766 (*Kocher*).

Claims 4 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kocher* in view of U.S. Patent No. 5,459,584 (*Gordon et al.*).

Claims 5 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kocher* in view of U.S. Patent No. 6,046,824 (*Barak*).

Claims 6, 7 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kocher* in view of U.S. Patent No. 5,117,258 (*Iwata*).

Claims 8, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kocher* in view of U.S. Patent No. 5,892,591 (*Anglin Jr. et al.*).

Claims 11-13, 16 and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,493,634 (*Bonk et al.*).

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bonk et al.* in view of *Barak* and further in view of *Iwata*.

Claims 15 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bonk et al.* in view of *Anglin Jr. et al.*

The aspect of the present invention set forth in Claim 1 is directed to an image processing apparatus for performing image formation based on image-formation

data. The image processing apparatus causing the job data to include the image-formation data and a communication procedure for communicating with an external unit, and controlling the image formation in accordance with a result of communicating with the external unit based on the communication procedure of the job data.

One important feature of Claim1 is that the job data includes both image-formation data and a communication procedure for communicating with an external unit.

Kocher, as understood by Applicant, relates to systems for confirming, timestamping, and archiving facsimile and other telecopier transmissions. Apparently, *Kocher* teaches that a user using a facsimile machine (or other form of telecopier) to send documents or other images to be timestamped to the trusted timestamping service (TTS), where they are received by a facsimile modem (or other form of telecopier) and stored in digital form. The TTS optionally identifies the sender and verifies that the sender is authorized to use the system. The Office Action in section 4 appears to equate "telecopier is read as an external unit" with "said image processing apparatus causing a job data to include said image-formation data and a communication procedure for communicating with an external unit." Applicants submit, nothing has been found in *Kocher* that teaches or suggests that the job data includes a communication procedure for communicating with an external unit.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

The aspect of the present invention set forth in Claim 11 is directed to an image processing apparatus connected to an external unit via a network. The image processing apparatus includes communication means for communicating with the external

6

unit, image processing means for generating image data from image-formation data, and image output means for outputting to a medium images based on the image data. The image processing apparatus further includes control means for controlling the image processing means and the image output means, where the communication means receives a job data including the image-formation data and a procedure for communicating with the external unit and the control means executes the procedure in the job data to communicate with the external unit thereby controlling image-output processing based on the image-formation data in accordance with a result of the communication with the external unit, and wherein the job data is not required to be transmitted via a print server.

One important feature of Claim11 is that the job data is not required to be transmitted via a print server, thereby enabling high-speed printing.

Bonk et al, as understood by Applicant, relates to a multi-process/multi-stage decomposer adapted to decompose higher level primitives into imaging primitives for printing, thereby maximizing the throughput of a printer by concurrently decomposing sets of information written in printer page description language. Concurrent decomposition mitigates the overall effect of data processing delays by limiting delays to part of the data. In the *Bonk et al.* system, the workstation 40 and the PDL source 42 are interfaced with the decomposer 32 by way of a print server 48, which print server 48 can be a suitable protocol corresponding with the specifications of the PDL source 42 and/or the network interface 46.

The Office Action in the rejecting Claim 11 states that it is inherent that a print server is connected to the printer. Applicant does not understand on what legal principle the Examiner bases this assertion. In any event, as is recited in Claim 11,

inasmuch as the job data is not required to be transmitted via a printer server. Support for this can be found at least on page 13, lines 22 and 23.

Accordingly, Applicant submits that Claim 11 is not anticipated by *Bonk et al.*, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(b).

Independent Claim 17 includes the same feature that the job data is not required to be transmitted via a print server, thereby enabling high-speed printing as discussed above in connection with Claim 11. Accordingly, Claim 17 is believed to be patentable for at least the same reasons as discussed above in connection with Claim 11.

Similarly, independent Claim 18 includes the same feature that the job data is not required to be transmitted via a print server, thereby enabling high-speed printing as discussed above in connection with Claim 11.

As discussed previously, in the *Bonk et al.* system, the workstation 40 and the PDL source 42 are interfaced with the decomposer 32 by way of a print server 48, which print server 48 can be a suitable protocol corresponding with the specifications of the PDL source 42 and/or the network interface 46.

Anglin Jr. et al., as understood by Applicant, relates to the field of facsimile transmissions. More particularly, the *Anglin Jr. et al.* system provides novel methods and apparatus for enabling users of traditional facsimile machines to utilize high speed packet switched data communications networks for the transmission of facsimile communications. *Anglin Jr. et al.* is merely cited as apparently disclosing controlling the image formation, to overcome the deficiencies of *Bonk et al.*

Applicant submits that independent Claim 18, which includes feature that the job data is not required to be transmitted via print server, is not taught or suggested by
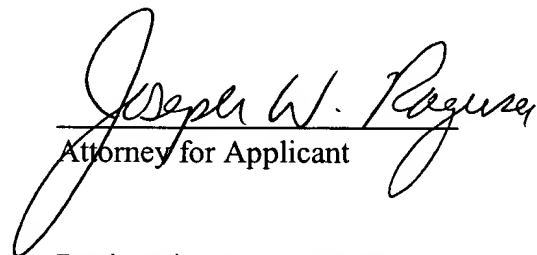
8

the combination of *Bonk et al.* and *Anglin Jr. et al.*, and is therefore patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Joseph W. Ragusa
Attorney for Applicant

Registration No. __38,586__

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
NY MAIN 247722

MARKED-UP VERSION SHOWING CHANGES MADE TO SPECIFICATION

Version showing changes made to the paragraph at page 10, line 22 to page 11, line 4:

In step [S]4, based on the image-formation data generated by the division, image data is generated in the image memory 4. When the generating of the image data is complete, the generated image data is transferred to the printer 5, in which an image is formed on paper, based on the transferred image data (step 6). In steps 1 to 6, the image formation apparatus 1 performs a process from the job data reception to completion of printing.

Version showing changes made to the paragraph at page 11, lines 13 to 24:

Referring to Fig. 3, when the history management unit 7 starts to operate (step 10), it awaits being notified of the utilizing information by the image formation apparatus 1, and proceeds to step 12 when being notified (step 11). In step [S]12, the history management unit 7 accesses the user's utilizing information which is internally stored, and determines whether the total number of printouts is less than a preset maximum number of outputable sheets. If the total number is within the preset maximum number, the history management unit 7 proceeds to step 14. If the total number exceeds the preset maximum number, the history management unit 7 proceeds to step 13 (step 12).

MARKED-UP VERSION SHOWING CHANGES MADE TO CLAIMS

11.　(Amended) An image processing apparatus connected to an external unit via a network, said image processing apparatus comprising:

communication means for communicating with said external unit;

image processing means for generating image data from image-formation data;

image output means for outputting to a medium images based on said image data; and

control means for controlling said image processing means and said image output means;

wherein said communication means receives a job data including said image-formation data and a procedure for communicating with said external unit, and said control means executes said procedure in said job data to communicate with said external unit, whereby controlling image-output processing based on said image-formation data in accordance with a result of the communication with said external unit, and

wherein the job data is not required to be transmitted via a print server.

17.　(Amended) A machine-readable recording medium for an image processing apparatus forming images based on image-formation data, said machine-readable recording medium containing a program for enabling a computer to have a function of:

receiving from the exterior a job data including said image

formation data and a procedure for predetermined processing, and controlling image

formation in accordance with the received procedure, and

<u>wherein the job data is not required to be transmitted via a print server.</u>

18. (Amended) A machine-readable recording medium containing a

program for enabling a computer, in an image processing apparatus forming images based

on image-formation data, to have a function of causing a job data to include said image

formation data and a communication procedure for communicating with an external unit,

and controlling said image formation in accordance with a result of communication with

said external unit based on said communication procedure included in said job data, and

<u>wherein the job data is not required to be transmitted via a print server.</u>

NY_MAIN 247722 v 1